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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

VERBATIM RECORD OF THE 1407th MEETING

Held at Headquarters, New York,
on Tuesday, 28 July 1992, at 3 p.m.

Chairman: Mr. LOHIA (Papua New Guinea)

- Question of New Caledonia (continued)
- Requests for Hearing
- Reports of the Subcommittee on Small Territories, Petititions, Information and Assistance

  Question of Pitcairn

  Question of St. Helena

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Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands

- Question of the Trust Territory of the Pacific Islands
- Information from Non-Self-Governing Territories
- Question of Sending Visiting Missions to Territories
- Question of Western Sahara
- Organization of Work
- Statement by the representative of Mali

The meeting was called to order at 3.35 p.m.

QUESTION OF NEW CALEDONIA (A/AC.109/1120) (continued)

At the invitation of the Chairman, Ms. Deborah Robinson took a place at the petitioners' table.

The CHAIRMAN: I now call on Ms. Robinson.

Ms. ROBINSON: I should like to offer you, Sir, my sincere congratulations on your election as Chairman of this important Committee. I know that you are very deeply committed to the process of decolonization and have worked tirelessly towards that end for many years.

I am extremely grateful for this opportunity to address the Committee on the very critical issue of the struggle for independence in New Caledonia. I hope my contribution will assist it in its most serious deliberations.

I come before the Committee today as an African-American and as a social psychologist. The question of New Caledonia has particular relevance for me, as an African-American. I have been interested in and concerned about the Kanak independence struggle for a number of years, but after my visit to Kanaky in 1990 my commitment to the Kanaks' struggle has become even stronger and very personal. The indigenous people of New Caledonia are my brothers and sisters. I proudly stand in solidarity with them as they struggle for their independence; their struggle is my struggle.

As a social psychologist, I am interested in the social, political, economic and psychological dynamics of oppression. There is a great similarity between the tactics, approaches and forms of oppression worldwide. In addition, comparable programmes to ameliorate the injustices have been initiated, and the backlash against these programmes has been parallel. I have some concerns about the social/economic development strategies undertaken as a result of the Matignon Agreement, especially in the light of similar approaches in other countries, which have met with limited success.

(Ms. Robinson)

I hope the Special Committee will bear with me during my testimony while I draw examples from other countries to highlight my perception of the dynamics in New Caledonia. I will limit my comments to a discussion of two interrelated fallacies: the fallacy of separate development and the fallacy of equalization. Of course, the consequences of these fallacies have a direct impact on the decolonization process in New Caledonia as well as on peace and security in the region.

The current and historical situation in New Caledonia can be likened to the historical and current situation in South Africa. In 1948 the Nationalist Party gained power in South Africa and embarked on a formal program of apartheid, or separateness. It enacted a very complex and comprehensive body of legislation that, among other things, restricted black South Africans, who made up 83 per cent of the population, to 13 per cent of the land, the most arid, remote and unproductive, while keeping 87 per cent, the most productive, mineral-rich and urban areas, for themselves. Within the 13 per cent of the land allocated to blacks, certain areas were designated "black homelands" and granted semi-autonomous status. Four of the so called homelands were later granted independence.

The objective of the homeland policy was to control the movement, labour and economic/political power of black South Africans. The Nationalist Government called this "separate development". Of course, this continues to be a fallacy because the black areas did not then and do not now have the economic or natural resources, the infrastructure, the historical advantage or the exploited labour necessary to develop in the manner in which the whites were able to develop the urban and agriculturally rich rural areas.

(Ms. Robinson)

A frightening parallel can be drawn to New Caledonia. As the Committee knows, in 1853 the French settlers appropriated the land of the indigenous Kanaks and forced them to live on the least productive and most mountainous parcels of land, which comprised a mere 15 per cent of the total land area of New Caledonia. The majority of Kanaks still live on these reservations, which are located on the Loyalty Islands and scattered primarily around the northern and eastern areas of Grande Terre. Prior to the Agreement, no major industry, tourism centre, infrastructure or anything of the like was located in these areas and no Kanak owned any interest in any of the mining ventures. Kanaks survived by subsistence farming and fishing and through the strength and support of those with ties of kinship and culture.

The French settlers reserved the southern part of Grande Terre for themselves and are primarily concentrated in Nouméa and its surrounding areas. The heavy industry, tourism, infrastructure, related businesses and thus employment opportunities are located in the southern part of Grande Terre, particularly Noumea. When I was in New Caledonia in 1990 there was not one Kanak business in Noumea.

Of course, the French Government controls the lucrative nickel industry in New Caledonia, having declared nickel a strategic mineral. This small Territory has 28 per cent of the world's deposits of nickel and is the third-largest producer of nickel in the world, after Canada and the former Soviet Union. For over a century France has robbed New Caledonia of its minerals and the indigenous people have neither had any input into this endeavour nor received any of the profits.

The signing of the Matignon Agreement in 1988 has led to the disturbing

(Ms. Robinson)

fallacy of separate development. The Agreement established three semi-autonomous Provinces: the Southern, Northern and Loyalty Island Provinces. Of course, the Southern Province, which encompasses the most important economic zone, is controlled by the Rassemblement pour la Caledonie dans la République (RPCR), the right-wing Caldoches party. The North and Islands Provinces are controlled by the independence movement, the Front de liberation nationale kanake socialiste (FLNKS). It is a fallacy, though, to think that the Northern and Island Provinces will achieve sustainable separate development within the current international economic system. It was a host of historical, political, economic and social dynamics that enabled the Southern Province to develop as it has over the last hundred years. These same dynamics are not working in the interests of the Kanak people. To think that the Kanak regions will achieve the same level of development as the Southern Province in 10 or even 40 years is to ignore these dynamics and reality. Separate development without the economic and natural resources, labour - usually exploited - and infrastructure did not work in South Africa, and will not work in New Caledonia.

Some people will counter these arguments by pointing, first, to the millions of French francs that are being poured into New Caledonia and targeted on the Northern and Loyalty Island Provinces; secondly, the sale of the largest private mine to the Northern Province, and, thirdly, the various education and training programmes being instituted. Although there are some positive aspects to these necessary initiatives, these approaches inevitably lead to the fallacy of equalization in two respects. First, it is completely erroneous to suggest that the severe inequalities that exist in New Caledonia will be erased in 10 years by these, or any other, "affirmative action" types

(Ms. Robinson)

of programmes. Secondly, what is not said is that only a small percentage of Kanaks will achieve the socio-economic "equalization" that is being proposed.

After more than 20 years of affirmative action, bussing and equal employment opportunity in the United States, there is still massive unemployment and underemployment among African-Americans. We do not own the businesses in our communities, we do not have access to loans and our children do not receive the quality of education necessary to compete in today's world. There is a whole host of other socio-economic indicators which point to the fact that American society has yet to redress imbalances between whites and blacks.

The affirmative action/equalization programmes did create a larger African-American middle class. There are significantly more African-American professional people, college graduates and families making over $40,000 a year. But we were led to believe that the status of African-Americans as a group would be lifted; we did not realize that these programmes would elevate the socio-economic status of only a small percentage of individuals. We were unaware of this fallacy inherent in the equalization programme. I would not like my brothers and sisters in Kanaky to make the same mistake.

Some leaders and militants have consistently opposed the Matignon Agreement because it did not guarantee independence and instead placed "development" before independence. New Caledonia has the potential to explode as more Kanaks come to understand the inherent inadequacies of the separate development and equalization initiatives currently being undertaken as a result of the Agreement. I am afraid their feelings of anger and frustration

(Ms. Robinson)

will only be exacerbated by the knowledge that significant benefits are accruing to the Caldoches and the French Government as a result of the Matignon Agreement.

First, the relative peace in New Caledonia has meant that business can return to normal; new construction is under way, the mines are operating, tourism has increased and so on. In addition, the Matignon Agreement has created new business for Caldoches and French multinational companies. They are the ones who are the contractors and sub-contractors for all the new development projects; there are no Kanak construction firms in New Caledonia. During this process of redressing inequities, then, they are the ones making plenty of money.

Secondly, the duration of the Agreement before the referendum in 1998 has in itself the effect of demobilizing the liberation movement, which of course works to the advantage of the right-wing party. In addition, though, the middle class that is being created with money and training opportunities will act as a buffer between the majority of Kanaks and the Caldoches, further weakening the liberation movement.

Third, the Matignon Agreement actually increase the dependence of Kanaks on the French Government. The region is already highly dependent, given the number of imported products, but this infusion of money is highly seductive. What will happen when the monies stop flowing? Will this infusion of money lead to self-sufficiency or to a welfare State?

(Ms. Robinson)

It is for those reasons that I think New Caledonia must remain on the list of Non-Self-Governing Territories. I have doubts whether the initiatives being undertaken will lead to decolonization and whether the very fragile peace currently being maintained will last until the 1998 referendum. I trust that the Special Committee will continue to monitor the situation and support the right of the Kanaks to true self-determination.

The petitioner withdrew.

The CHAIRMAN: The Committee will continue its consideration of this item at a subsequent meeting.

REQUESTS FOR HEARING

The CHAIRMAN: I wish to draw the attention of members to a request for hearing relating to Puerto Rico, which has been circulated in aide-mémoire 14/92/Add.1.

If there is no objection, I shall take it that the Committee agrees to accede to that request.

It was so decided.

REPORTS OF THE SUBCOMMITTEE ON SMALL TERRITORIES, PETITIONS, INFORMATION AND ASSISTANCE

QUESTION OF PITCAIRN (A/AC.109/L.1777)

QUESTION OF ST. HELENA (A/AC.109/L.1778)

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, TURKS AND CAICOS ISLANDS AND UNITED STATES VIRGIN ISLANDS (A/AC.109/L.1779)

The CHAIRMAN: I wish to inform members that I have received an indication from Ms. Lourdes Pangelinan, representative of the Governor of Guam, of her wish to make a statement at this stage. Subject to the consent of members and in conformity with standing procedure, I suggest that the Committee invite her to make a statement.

It was so decided.

At the invitation of the Chairman, Ms. Lourdes Pangelinan took a place at the Committee table.

The CHAIRMAN: I call now on Ms. Pangelinan.

Ms. PANGELINAN: Allow us to extend our gratitude to the Committee for the opportunity to participate in this dialogue on the draft resolution on the question of Guam. Dangkolu Na Si Yu'os Ma'ase'- thank you very much.

Mr. Chairman, I would also like to extend a heartfelt Si Yu'os Ma'ase' to you for your interest in the development of a dialogue with Guam. Your most recent efforts, including your acceptance of our invitation to visit Guam and the efforts to arbitrate acceptable language to restore the vitality of the resolution, are most laudable. Congratulations to you, Sir, on your chairmanship and on your stewardship.

(Ms. Pangelinan)

On behalf of Governor Joseph F. Ada, I am most honoured to appear before the Committee today - my first appearance ever on behalf of the Governor of Guam - to share with it our views on the draft resolution on Guam. It is our hope that by working closely with the Committee we will see the adoption of a Guam resolution that recaptures the goals and aspirations of the people of Guam that were detailed in resolutions of years past.

Allow me briefly to discuss recent events in Guam that are of interest to the Committee. In 1987 the people of Guam approved by plebiscite a proposed new political relationship with the administering Power. The proposal establishes an interim Commonwealth status for Guam and calls for the exercise of self-determination by the Chamorro people of Guam as the final step in the decolonization process.

The people of Guam have called for a new status - an end to our current non-status as an unincorporated Territory. We have called for recognition of our right to self-determination. We have called for greater autonomy, self-government and a measure of political sovereignty. We have called for economic freedom and the removal of constraints which currently keep our people from developing our homeland to its full economic potential.

Additionally, many of the existing laws and regulations of the administering Power that now apply to Guam would be replaced by new standards that reflect Guam's needs. Many of these proposed new standards, such as self-determination, control of Guam's land and marine resources and immigration authority, are based on international principles intended to guide territorial-metropolitan relations.

(Ms. Pangelinan)

The Commonwealth Act clearly establishes the process for Guam's decolonization. As provided in the Commonwealth Act, the Constitution of Guam - a document to be endorsed by all Guam voters - will institute a process whereby the indigenous people of Guam would exercise self-determination for Guam. This democratically approved approach to self-determination for Guam is a historically important one, since it is the first plan to terminate Guam's colonial status in over 350 years of external governance. This programme on self-determination is no different from any other self-determination movement that we have witnessed in other nations around the globe in recent years.

For the past two and a half years the Guam Commission on Self-Determination, chaired by Governor Ada, has been discussing the Guam Commonwealth Act with the executive branch of the administering Power Government. These consultations have resulted in some success, but wide disagreement on the issues of self-government, jurisdiction over resources and self-determination remain. It is expected that the respective views of Guam and the executive branch of the administering Power will be taken up by the United States Congress early next year.

As we move forward in our discussions with the administering Power on Guam's political status, it is with some disappointment that we have witnessed a decline in the detail of United Nations resolutions on Guam. While the secretariat has done a most commendable job in putting together working papers on Guam, in recent years we have noted the fading away of significant details in the resolutions adopted by the General Assembly.

(Ms. Pangelinan)

I should like to illustrate with a few examples. In 1988 the General Assembly resolution urged the administering Power

"to give full recognition to the status and rights of the Chamorro people as provided for in the draft Commonwealth Act". (resolution 43/42, para. 10)

The following year, during consideration in the Fourth Committee, the reference to the Commonwealth Act vis-à-vis the status and rights of the Chamorro people faded from the resolution. This was unfortunate since the draft Commonwealth Act and its provision on self-determination is the only mechanism in Guam's history that has been offered to end colonialism. However, your work at that time, Mr. Chairman, well before you joined this Committee, led to the continued reference to the need for the administering Power to give "full recognition to the status and rights of the Chamorro people".

By the time of the 1991 resolution, however, all reference to the Chamorro people had been eliminated. Additionally, the 1991 resolution failed even to mention that Guam was pursuing a new political arrangement with the United States.

Throughout this process we have come to learn the views of the administering Power: that there is a need for objectivity, and an expressed belief that the views of the territorial Government are paramount. These views bring us here today to assist in the dialogue on the draft resolution on Guam.

(Ms. Pangelinan)

Again, Mr. Chairman, we appreciate your opening of a dialogue with us on this important issue. You are well aware of our concerns, and we are pleased to see significant concerns of Guam reflected once again in the Committee's draft resolution.

(Ms. Pangelinan)

In particular, we are pleased that paragraph 1 of the draft resolution clearly affirms our right to self-determination, which in last year's resolution appeared to be conditional.

We are also pleased that in this year's draft resolution we see the return of references to the Guam Commonwealth Act and the identity of the indigenous Chamorro people. After all, it is the Guam Commonwealth Act that establishes the framework for Guam decolonization. Likewise, the identity of the Chamorro people is the central pillar of Guam's self-determination movement.

Today we would appreciate the Committee's thoughtful consideration of further enhancements of the draft resolution on the issue of the Commonwealth Act and the identity of the Chamorro people.

The seventh preambular paragraph of the draft resolution is perhaps deserving of a second look to define more succinctly what the Guam Commonwealth entails. There is no doubt that the Guam Commonwealth Act as passed by the people of Guam is not a reaffirmation of

"the right of the people of Guam to draft their own Constitution and to govern themselves".

In 1976 the administering Power provided Guam the opportunity to draft a Constitution to govern itself, but this was rejected by Guam's voters because such a Constitution alone would not deal with the larger issue of Guam's political relationship with the administering Power. In fact, the draft Commonwealth Act was born as a result of the rejection by Guam's voters of the notion of self-government through a constitutional process alone. Indeed, the Commonwealth Act provides for Guam to establish mutuality with the administering Power in the decision-making process, which is then followed by

(Ms. Pangelinan)

a constitutional adoption. Additionally, and most important, the Commonwealth Act provides for a process of self-determination for Guam.

This definition of the Commonwealth Act, we believe, should be noted in the resolution, as it has been consistently portrayed in the working papers on Guam. Consistent with the 1988 and 1989 General Assembly resolutions on Guam, we invite consideration of the language in the seventh preambular paragraph to be as follows:

> "Recalling that in referendum in 1987, the people of Guam endorsed a draft Commonwealth Act, which would establish a new framework for relations between the Territory and the administering Power providing internal self-government for Guam and a recognition of the right of the indigenous Chamorro people to exercise self-determination for the Territory".

The Subcommittee's paragraph 5 calls for the administering Power's recognition of the

"cultural and ethnic identity of the Chamorro people"

as the indigenous inhabitants of Guam. As I mentioned earlier, we are most pleased that the draft resolution again recognizes the Chamorro people, and we recall the language of the General Assembly's 1988, 1989, and 1990 resolutions, which endorsed

"full recognition [of] the status and rights of the Chamorro people".

In this regard, we believe that a return to the language of the earlier resolutions would provide a more significant base for the process of self-determination that the people of Guam have already endorsed.

In closing, we should like again to extend a Dangkolu' Na Si Yu'os Ma'ase to you, Sir, and the Committee for the opportunity to join the dialogue on the

(Ms. Pangelinan)

draft resolution on the question of Guam. We appreciate your sensitivity to the expressed concerns of the people of Guam. Moreover, we are pleased with the return of language in the draft resolution that affirms our unconditional right to self-determination; the references to the process of Guam's current political status discussions; and recognition of the existence of the indigenous people of Guam. The Committee's reasonable efforts in the consideration of the enhancement proposals we have offered would be most appreciated. I should be happy to respond to any questions. Si Yu'os Ma'ase.

The CHAIRMAN: On behalf of the Committee, I wish to thank Ms. Pangelinan for the information she has furnished to the Committee. The views she has expressed will be taken into account in connection with the consideration of the question of Guam. If no member of the Committee has any questions or remarks relating to her statement I invite her to withdraw.

The petitioner withdrew.

The CHAIRMAN: Members will recall that the Committee at its 1402nd meeting on 20 July granted a request for hearing to Mr. Ronald Teehan, of the Organization of People for Indigenous Rights. I now invite Mr. Ronald F. Rivera, on behalf of the Organization of People for Indigenous Rights, to take a place at the petitioners' table.

Mr. Ronald F. Rivera (Organization of People for Indigenous Rights) took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Rivera.

Mr. RIVERA: We should like to extend a warm Hafa adai and Si yu'os ma'ase for the opportunity to present our views to the Committee today.

As the Committee is aware, the Organization of People for Indigenous

(Mr. Rivera)

Rights is a non-governmental organization dedicated to seeing that the right of the Chamorro people of Guam to self-determination is exercised. Our dedication to Chamorro self-determination remains steadfast and is well supported. Since our organization began in 1981 we have witnessed the issue of Chamorro self-determination emerge from obscurity and confusion to one that was adopted by the voters in Guam and is now an issue receiving mainstream political support by the leaders of Guam.

As the Guam Commission on Self-Determination, a multi-branch, bipartisan governmental body tasked with political status development for Guam, recently noted in a newsletter:

"Chamorro self-determination is an issue which goes to the heart of Guam's future political status."

It is critical that we note that Chamorro self-determination - and thus the self-determination and decolonization of Guam - is in and of itself not achieved by Guam's proposed Commonwealth Act. Rather, the Guam Commonwealth Act, now a subject of discussion between Guam's Commission on Self-Determination and the administering Power, calls on the administering Power to recognize the right of the Chamorro people to exercise self-determination for Guam in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV).

Let me repeat, so that this point is clear, that Guam's ongoing political status negotiations with the administering Power for Commonwealth status if passed by the administering Power will not result in self-determination and the decolonization of Guam. It is the act of indigenous Chamorro self-determination, which is to be exercised pursuant to the future Constitution of Guam, that will lead to decolonization and self-determination in Guam. Naturally, we are pleased that the Guam electorate at large and the

(Mr. Rivera)

Guam Commission on Self-Determination are firmly behind the right of the Chamorro people to decolonize Guam, but we believe that our right as a people stands solidly on its own - an inalienable right of our Chamorro people to determine the future status of our homeland.

The Organization of People for Indigenous Rights has appeared before the Special Committee on numerous occasions with regard to our situation in Guam. Today's appearance holds special meaning for us in view of the presence and appearance of the representative of the Governor of Guam. Our organization is pleased that the leaders of Guam's Government have continued steadfast in their support of Chamorro self-determination, despite persistent objections by the administering Power.

It is with great concern that we raise an issue of fundamental importance to the Chamorro people and to the work of those engaged here at the United Nations in the decolonization process. This issue is the decline in specificity of General Assembly resolutions as they relate to Guam. Please allow me to elaborate. In 1988 the General Assembly resolution on Guam urged

> "the administering Power to give full recognition to the status and rights of the Chamorro people as provided for in the draft Commonwealth Act". (resolution 43/42, para. 10)

(Mr. Rivera)

The following year, at the urging of the administering Power, the reference to the mandate of the people of Guam - the Commonwealth Act - as the vehicle for the exercise of the Chamorro people's right to self-determination was removed. The change in the resolution between 1988 and 1989 was thus to remove the reference to the process of decolonization that the people of Guam had themselves established. This was very unfortunate, since the Commonwealth Act's process for decolonizing Guam - by an act of Chamorro self-determination - is the only on that has ever been offered in the almost 100 years that Guam has been an American colony. Indeed, Guam's current political-status efforts are the result of denial on the part of the administering Power to come to terms and deal with decolonization in Guam.

The low point in the decline of specific references to the conditions in Guam was reached last year with the resolution on Guam that did not include even one reference to the democratic mandate of the people of Guam for a new political arrangement and did not even mention the process for decolonizing Guam through the act of Chamorro self-determination. It is hard for us to describe how hollow the process of decolonization seems when the very body that is charged with eliminating colonization by the turn of the century has not seen fit to recognize the will of the people affected in considering the question of Guam.

We should note that the decline in specificity has not been limited to the process of decolonizing Guam. All references to the Commonwealth Act were removed last year. The reference to the impact of military activities on Guam was reduced to address a specific ongoing negotiation on a single parcel of

(Mr. Rivera)

land, and it even went so far as to suggest that under certain circumstances United States military activities in Guam could legitimize the denial of the right of the people of Guam to self-determination. We will deal with this last issue a little later.

However, we think that it is incumbent on this Committee and the General Assembly to get a clearer picture of what is occurring in Guam. In our view, the latest resolution reflected nothing but the sentiment of the administering Power. Without the involvement of the representatives of the Government of Guam or external agencies, the reports the Committee receives cannot provide a complete and accurate picture. The most ethical corporations and governmental agencies in the world rely on external audits to guide their operations. The United States federal Government routinely insists upon its right to audit and evaluate the inner workings of territorial governments through its own agents. The United Nations review process, however, comes closest to more clearly and accurately examining the activities of the administering Power in Guam.

We wish to state again that many of the changes in the Guam resolution last year were represented as being the views of the Government of Guam. We do not believe that this is the case. We do not know whom the administering Power consulted with when it made these representations, but the changes are certainly counter to what the Governor and the legislative leadership, as members of the Commission on Self-Determination, have been pursuing. It is fortunate, Mr. Chairman, that you are cognizant of the position of the Government of Guam on this issue. If anyone in Guam did endorse these changes,

(Mr. Rivera)

or whoever it was that the administering Power consulted with, they have never made their position known to the people of Guam.

An important issue related to Chamorro self-determination also needs to be addressed, namely, the issue of continued immigration of settlers and migrants to the Chamorro homeland. The 1980 United Nations Plan of Action, in point 8, makes abundantly clear a moral responsibility that had previously always been understood: that administering Powers should not encourage immigration into Territories. It is in fact the administering Power's callous disregard for the demography of the Chamorro homeland that has forced us to define the "self" in self-determination.

We raise this issue because the most recent census, the 1990 figures released, point to a startling occurrence. By 1990, over half of Guam's population of 133,000 were people not born in Guam. Of the 50 per cent not born in Guam, 63 per cent came to Guam after 1985. Whether intentionally or not, the administering Power is overseeing a process of assimilation of the Chamorro people in their own homeland - a process that will ultimately be tantamount to genocide if it is not halted.

Ironically, the people of Guam have spoken - in the Commonwealth Act - to the effect that this immigration process should be halted. However, every day that United States immigration policies continue to apply to Guam, the role of the Chamorro people in their homeland is reduced. This flagrant violation by the administering Power of accepted standards in its fiduciary responsibility must be addressed, forcefully, by the United Nations. Without some check on this continuing policy tantamount to assimilation, this body is going to be faced with a much more difficult proposition in the future. Like any people

(Mr. Rivera)

that traces its heritage to a piece of land, the Chamorro people will ultimately react in a negative way to demographic changes that remove them from control of their patrimony.

Although 43 per cent of the population of Guam is Chamorro - a plurality of the population - our numbers continue to decline in proportional terms. Before Guam becomes another New Caledonia or Hawaii, the United Nations should attempt to arrest the condition of wholesale immigration overseen by the administering Power. The further disintegration of our people is further demonstrated by the growing increase of suicides of Chamorro people in disproportionate numbers.

The issue of military activities is an issue we know has been the subject of some controversy, and the administering Power cited it as one of the reasons why they were no longer going to cooperate with this Committee. However, there is no escaping the fact that military activities and land-use patterns play an important role in Guam's efforts to be more self-sufficient.

First, it is necessary to point out that the United States military conduct operations in Guam to serve their interests. It is not the defence of Guam that has ever been the reason for a United States military presence in our homeland. In current terms, the stationing of personnel from Subic Naval Base in the Philippines is occurring not because there is a perceived need for Guam to be better defended but because the administering Power can unilaterally station its forward mission in Guam.

The military presence in Guam accounts for direct control of approximately 46,000 acres of property, or over one third of the island. In addition, land-locked properties amount to another 800 or so acres. Most of

(Mr. Rivera)

this land is grossly underutilized, and if the military are correct in citing an addition of 1,300 personnel being assigned to Guam as a result of the Subic Bay closure, these properties will still be underutilized. The local government, the Government of Guam, has pursued an aggressive policy of attempting to get back lands that clearly are not being used or are underutilized, including the requested closure of the Naval Air Station at Agana by the Governor of Guam so that Guam's booming civilian aviation needs can be fully developed.

The land-use pattern of the military resulting in land-locked properties - privately held properties made inaccessible by surrounding military facilities - has reached a critical point at this time, which is cause for grave concern. This is illustrated by recent actions of land-locked landowners and supporters to gain access their properties by any means, including recent demonstrations and direct clashes and confrontations with the United States military who prevent access to their private properties.

It is true that the United States military expends money in Guam. In addition to military expenditure, programme funding for the civilian sector is also expended by the administering Power in Guam. Some cite the approximately $700 million spent by the administering Power as a purely positive sign, but this needs closer examination.

(Mr. Rivera)

Allow me to quote from a 1985 Congressional Research Service report:

"To secure its strategic interests, the United States continues extensive Government spending programs in Guam ..."

These United States expenditures must, then, be examined in the light of United States interests. From the United States perspective, it is clearly their military interests that lead to a heavy investment in their basing activities, and it is also apparently in their interests to dole out monies for the civilian sector to keep the natives from being restless. In the latter case, the people of Guam are not being bought off, as is evidenced by their democratic mandate to see lands returned, to be compensated for the use of their property, and by the requirement that the people should be given full self-government and a process of decolonization should be recognized by the administering Power.

The military claim to have contributed $586 million to Guam in 1991. This amount, however, should not be seen as an equivalent amount that circulates in the private sector of Guam's economy. As the Pentagon's own chief of the Office of Economic Adjustment noted in a March 1992 issue of Newsweek:

"civilian jobs are more 'meaningful for the local economy.'"

If there is any question concerning how critical it is for the Committee to continue to examine the issue of military activities in Guam, the evidence is clearly present in last year's resolution on Guam. The administering Power, in the Fourth Committee, recommended changes to the wording of the language drafted by the Sub-Committee and adopted by the Special Committee.

(Mr. Rivera)

The change in language substantively altered the meaning of the resolution and underscores a dangerous attitude of the administering Power.

Representing the proposed changes as the will of the Government of Guam, the administering Power sought and successfully ushered in changes to the resolution that undermine the very purpose of this Committee. Originally, the language adopted by the Committee on Decolonization called on the administering Power to

"ensure that the presence of military bases and installations in the Territory would not constitute an obstacle"

to the implementation of the Declaration, nor hinder the population from exercising self-determination. This language was changed to reflect a position that the administering Power's military activities should not constitute an obstacle.

This gross change completely altered the intent of the resolution and severely undercuts everything that this Committee has worked towards over the years. It even suggests that under certain circumstances the administering Power's military activities in Guam might be an allowable impediment to self-determination and implementation of the Declaration. We can think of no condition under which the United Nations might conceive of a justifiable excuse for the subjugation of a people's right to self-determination.

For some time the administering Power, through the Department of the Interior, has been in the process of developing a "Pacific Policy Report". The apparent purpose of this report is to define a new policy for Guam.

Guam leaders have participated in a general seminar on what they believe the new policy of the administering Power should be. They made it clear that the only appropriate policy was one which took into due consideration the proposal of the people of Guam for a new Commonwealth relationship. The

(Mr. Rivera)

administering Power, however, has moved forward with the development of a policy on its own, without showing or allowing a review by the leaders of Guam. Guam's Governor, Joseph Ada, recently noted that the administering Power's representatives do not want to share their vision of Guam with Guam's leaders because

"it is a policy they know we will have to challenge".

Nothing could more clearly mark the colonial nature of the relationship between Guam and the administering Power than the development of a policy for the people of Guam that they are not actively involved in. We are attaching to our statement a copy of an editorial by Guam's foremost newspaper, the Pacific Daily News, which characterized the Washington bureaucracy as a dinosaur,

"all bulk and momentum, and no brain"

and further called the approach

"dictatorial and insulting".

We do not think we could have described the administering Power's approach to our people's quest for a new policy any better.

Issues surrounding the question of Guam deserve careful review by this Committee. This Committee must access clear and accurate information on the situation in Guam. This is complicated by the fact that the administering Power has chosen not to cooperate with the Special Committee in the Committee's examination of Guam's situation. Dissemination of information with regard to the United Nations decolonization process is a relatively easy task, since so few colonial Territories remain on the list being considered by the United Nations. Additionally, the population in the remaining areas is relatively small. However, I can attest to the fact that in the case of Guam

(Mr. Rivera)

the only information received by the press and the people in Guam about the activities of the Committee and the General Assembly on the issue of decolonization is provided by groups such as the Organization of People for Indigenous Rights (OPIR), and in some instances the Government of Guam. Perhaps I should qualify this statement by noting that the representatives of the administering Power do reference the United Nations decolonization process, but only in a negative light and to discourage our interest.

We recommend that this Committee and the United Nations information offices should aggressively disseminate information on the decolonization process both in general informational ways and on the specifics of the United Nations consideration of the question of Non-Self-Governing Territories. Information dissemination should be broadly based, utilizing Governments, non-governmental organizations and media outlets in the Territories, and through a higher profile of the Committee and the Secretary-General of the United Nations in the Territories on the issue of decolonization.

We appreciate that there are protocol issues in relation to the administering Powers that States Members of the United Nations consider. However, the plight of people under colonial governance must be the paramount issue. Let us be candid; if the niceties of protocol result in preventing the peoples affected from receiving adequate information about the process of decolonization - particularly in this decade for the eradication of colonialism - then the United Nations and the Special Committee must adopt a more aggressive posture. Information is not arms; it is the basic ingredient of an open and free society which makes informed decisions. No limit on information should be established, unless those choosing to limit it are

(Mr. Rivera)

willing to admit their intention not to abide by the process of freeing peoples that are under colonial domination.

In the so-called new world order, which is less marked by the hostile rhetoric of competing ideologies, there should be, first, no justifiable reason for failure of full and adequate information to reach the peoples which remain under colonial domination.

Secondly, as a symbol of the even-handedness and the level playing field of the decolonization process, the Secretary-General should be urged to take an active role.

The entrance of the Secretary-General into the decolonization process is appropriate during this United Nations-established decade to eradicate colonialism. It is appropriate because it will elevate the level of discussion, enhance awareness in the world community about a process that has almost been forgotten, and serve to remind the remaining administering Powers that their responsibilities are not yet concluded. I strongly urge the Special Committee to seek the engagement of the Secretary-General in the decolonization process.

Thirdly, it is vital that the Committee should note the role of the people of Guam and the Commission on Self-Determination - as representatives of the people's desire for a new political status and a road towards decolonization - in advocating changes in Guam's current relationship. It would be unfortunate if the General Assembly resolutions on Guam continued to ignore the fact that there is in place a process of decolonizing the island. Notwithstanding the fact that the people of Guam has supported the process of decolonization through Chamorro self-determination, the inalienable right of

(Mr. Rivera)

the Chamorros of Guam to determine their future destiny is firmly etched in the standards of nativist and international rights.

Fourthly, the Committee must carefully examine the conditions that exist in Guam and underscore the specific nature of those conditions. A failure to do so will ultimately mean that the beautiful paradise of Guam will be overrun by settlers and migrants, with the Chamorro people struggling to retain power over the destiny of their own homeland. In like manner, the role of the United States bases and installations imposes considerable restraint on Guam's future development and on the maximization of our people's true potential.

Lastly, we urge the Committee to review carefully our comments and suggestions on ways in which a reform process can bring about a more effective road to decolonization.

The petitioner withdrew.

The CHAIRMAN: The Committee will now take up the report relating to Pitcairn, contained in document A/AC.109/L.1777.

If there are no comments, I shall take it that the Committee adopts the report and approves the draft decision contained therein.

It was so decided.

The CHAIRMAN: The Committee will next take up the report relating to St. Helena, contained in document A/AC.109/L.1778.

As there are no comments, I wish to inform members that a vote has been requested on the draft decision contained in the report.

Since there are no speakers, the Committee will now vote on the draft decision.

A vote was taken by show of hands.

The draft decision was adopted by 14 votes to none, with 2 absentions.

The CHAIRMAN: I take it that the Committee adopts the report of the Subcommittee.

It was so decided.

The CHAIRMAN: The Committee will next take up the report relating to the 10 Territories, namely, American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, contained in document A/AC.109/L.1779.

If there are no comments, I shall take it that the Committee adopts the report and approves the draft omnibus resolution on the 10 Territories contained in paragraph 8 of the report.

It was so decided.

QUESTION OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

The CHAIRMAN: In respect of the Trust Territory of the Pacific Islands, I wish to draw the attention of members to the recommendation of the open-ended Working Group, adopted at the 1401st meeting on 1 June 1992, by which the Committee, having noted

> "that extensive discussions are now under way between the Administering Authority and the Trust Territory of the Pacific Islands ... to find a solution to the question of the future political status of that Territory, the working group recommends, in order to allow for a climate conducive to a positive and constructive outcome of the discussions, that the Committee defer consideration of the Trust Territory of the Pacific Islands until 1993. It also suggests that requests for hearing be given due consideration by the Special Committee on the basis of its usual practice."

In keeping with that decision, the Committee will defer consideration of that question to its 1993 session.

It was so decided.

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES (A/AC.109/L.1781)

The CHAIRMAN: The Committee has before it, in document A/AC.109/L.1781, a draft resolution prepared by the Chairman on the item.

If there are no comments, I shall take it that the Committee is prepared to adopt the draft resolution without a vote.

Draft resolution A/AC.109/L.1781 was adopted.

The CHAIRMAN: The Committee has thus concluded consideration of this item.

QUESTION OF SENDING VISITING MISSIONS TO TERRITORIES (A/AC.109/L.1784)

The CHAIRMAN: The Committee has before it a draft resolution on the item, contained in document A/AC.109/L.1784.

If there are no comments, I shall take it that the Committee is prepared to adopt the draft resolution without a vote.

Draft resolution A/AC.109/L.1784 was adopted.

The CHAIRMAN: The Committee has thus concluded consideration of this item.

The next three items on the agenda of this meeting relate to activities of foreign economic and other interests, to military activities and arrangements by colonial Powers and to implementation of the Declaration by the specialized agencies.

In accordance with a decision taken at the outset of the meeting, the Committee granted a request for hearing to Mr. J. A. Gonzalez Gonzalez.

At the invitation of the Chairman, Mr. J. A. Gonzalez Gonzalez took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Gonzalez Gonzalez.

Mr. GONZALEZ GONZALEZ (interpretation from Spanish): As this is the first occasion on which I have addressed a meeting of the Committee during your chairmanship, Sir, allow me to congratulate you upon your unanimous election to such a lofty post. I also offer my congratulations to the other officers of the Committee on their re-election. I pray, Sir, that under your chairmanship the work of the Committee will get back on its original track, from which, in my opinion, it has been diverted, much to the consternation of those of us who are not free and to the great joy of the imperialists and their accomplices. I also pray that under your leadership the labours of the Committee will be broadened and strengthened, with the addition of new colonial Territories to its list, such as Guadeloupe, Martinique, French Guyana, Tahiti, the Isle of Man, Guernsey, Jersey and a number of Pacific Islands that have been occupied since and even before the Second World War by the United States of America.

Before taking up the matter at hand today, I should like to point out that in this hall the seat of Spain - an imperialist country, like Portugal, New Zealand, the United Kingdom, the United States and France - is conspicuously vacant. Spain's abandonment of Western Sahara to its fate should be censured and remembered until that enslaved Territory achieves its independence. The vacancy of Spain's seat in this hall is something that those among us who do not enjoy sovereignty must condemn, and it is something that the Committee of 24 should correct immediately.

The subject at hand is such a broad one that we could spend hours discussing it. I shall limit myself to two or three points. I believe that the Committee, being so fond of seminars, should organize one here at United Nations Headquarters on this very important subject.

On previous occasions, both in this Committee and in the Fourth

(Mr. Gonzalez Gonzalez)

Committee, I have pointed out some of the stumbling-blocks in the way of the implementation of General Assembly resolution 1514 (XV). You are perfectly familiar with many of them, since many of you suffered from their effects when your countries were still enslaved Territories of the European imperialists. It is natural to think that those stumbling-blocks will continue to impede severely the implementation of resolution 1514 (XV) so long as the Committee of 24, the Fourth Committee and the General Assembly are reluctant to take the bull by the horns. A dangerous task indeed, but it is the duty of the United Nations to undertake it, unless it wants to continue turning into a subsidiary branch or appendage of the United States Department of State.

On past occasions I have spoken of the following obstacles: first, the economic impediment; secondly, the military impediment; thirdly, the use of diplomatic terrorism, especially by the United States, which has used it to prevent the Puerto Ricans and the inhabitants of other Yankee colonial Territories from increasing the number of votes in this Committee; fourthly, the control or domination of public and private schools, radio, television, the press and other communications media for the purpose of stunting the combative spirit of peoples and turning them into docile creatures grateful for the "kindnesses" (especially economic ones) of the master, who makes himself out to be not a master but rather a protector and a true friend; fifthly, the use of death squads to convince the people that it is not to the master's liking to have the United Nations implement resolution 1514 (XV), and, along the same lines, the use of facile accusations (of crimes, communism, drugs and the like) and the drawing up of lists of patriots who are and will be branded as subversives; sixthly, the attempt to use the Committee of 24 not for what it is according to its name, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting

(Mr. Gonzalez Gonzalez)

of Independence to Colonial Countries and Peoples; but rather as if it were called the Special Committee on the Situation with regard to the Implementation of Chapter XI of the Charter of the United Nations, a chapter that does not speak of independence, that makes no mention of the concept of free choice and that fails to include the third category of colonial Territories, the one called "other Territories that have not yet achieved independence".

There are other obstacles, many, many others. But the six I have pointed out will serve to show that the subject before us is a very large one and that therefore it is wrong to limit it to military and economic issues.

About 25 years ago a delegate to this Committee said to me:

> "You Puerto Ricans spend your time asking the delegates to the Committee to talk about Puerto Rico in the Committee meetings. What good does that do you? What you ought to do is ask for weapons and more weapons."

Without batting an eye, I asked him, in English, "If we Puerto Ricans asked your Government for weapons, would it give them to us?" After a brief and very meaningful silence, the delegate changed the subject.

I have told this story to show that while there are delegates who try in good faith to help those of us who are victims of colonialism, there are other delegates - and it pains me to say this - who try, directly or indirectly, to impede the implementation of resolution 1514 (XV).

I ask: has the Committee of 24 become a major obstacle to the implementation of resolution 1514 (XV) as far as several colonial Territories are concerned, and especially with regard to the colonial case of Puerto Rico? I am afraid that I must answer that question with a sorrowful "Yes."

(Mr. Gonzalez Gonzalez)

When the Committee adopts a resolution on Pitcairn in which the right of that fraternal people to independence is not recognized, has the Committee not become an obstacle to the implementation of resolution 1514 (XV)? When the Committee adopts a resolution on New Caledonia in which that fraternal people's right to independence is likewise not recognized, with the aggravating factor that 1541 (XV) is included in the resolution, is it not true that a major obstacle to the implementation of our resolution has been placed in the way of that Territory?

And I say "our resolution" because 1514 (XV) was adopted with us in mind. It was adopted for us, not for you, and that is because you are free, sovereign and independent, and we are not. You do not need that resolution; we do. And I say the same about the Committee of 24: that it was established for us and not for you. Therefore, when in the Committee something is done that, instead of working to the benefit of our peoples, benefits our masters, then the Committee has been exploited as an obstacle to the implementation of our resolution.

When a representative says that he cannot vote in favour of a given resolution of the Committee because he feels that independence should not be imposed on any colonial country, isn't that representative obstructing the implementation of our resolution? This prompts me to say three things. First - and I find it painful to say this - that at best, the representative who so expresses himself has not carefully read resolution 1514 (XV). Secondly, that he does not realize that the resolutions of the Committee are not binding. And thirdly, that our resolution, like our Committee, is based on the word "independence", its key concept. Anyone who is not prepared to

(Mr. Gonzalez Gonzalez)

accept that fact should resign and make room for another country, one that is prepared to honour fully both the Committee and our resolution. No representative has the right to make himself an obstacle to the implementation of our resolution.

For years now, there has been talk in this Committee and in the Fourth Committee about the concept of self-determination. A great deal has been said about it and about the fact that the imperialists use it, in so far as colonial oppression is concerned, in their own way and to their own advantage. On a number of occasions, I have circulated photocopies of a letter from Mr. Fleischhauer, the Legal Counsel of the United Nations, about this concept, a letter that clearly shows that there is no universally accepted definition of the concept.

Since this is a concept that is central to the work of the Committee of 24, I ask: is it not an obstacle that the Committee has not decided to request the Legal Counsel or the Sixth Committee to give a definition of the concept in order to strengthen its struggle for the freedom of peoples living under the yoke of colonialism? Forgive me, Mr. Chairman, but in this respect the Committee of 24 does represent an obstacle to the implementation of resolution 1514 (XV).

Since I do not want to speak for too long, I shall comment briefly on one more question. I am referring to the extreme importance that I believe the Committee and the Secretariat have been attaching in their reports and in their discussions to the socio-economic situation of the Territories that they deal with year after year. When we consider that resolution 1514 (XV) was adopted 32 years ago and that the Committee began its anti-colonial work 30 years ago, what is the vital importance of the fact that in a given Territory

(Mr. Gonzalez Gonzalez)

the population became a little larger or smaller, that a five-room schoolhouse was built or that unemployment decreased from 25 per cent to 24.7 per cent, and so on? Is this of some importance? Yes, it is. But is it of great importance? No, it is not.

More than 30 years after the adoption of resolution 1514 (XV), it seems to me that what is important, particularly during this Decade for the Total Elimination of Colonialism, is that we should place emphasis on a date for the independence of the Territory in question, so that once that date is known, the Government of the Territory and its owner and oppressor can begin talks about the future relationship that will exist between the two countries after independence. Leaving this until the very last year could prove dangerous. Not to begin doing this right away amounts to putting off the question of the independence of colonial Territories. Creating obstacles of this type is appropriate neither for the Committee of 24 nor for those of us who come from enslaved Territories.

I believe that all the resolutions adopted on colonial Territories from this year on should include an operative paragraph along the following lines:

> "The Committee of 24 requests the administering Power to inform the Secretary-General of the United Nations as soon as possible of the date for the independence of the Territory, as part of the Decade for the Elimination of Colonialism in the world."

Failure to do this or something like it could constitute a serious obstacle to the implementation of resolution 1514 (XV), our resolution.

Everything I have said compels me to reaffirm part of what I said at the beginning of my statement:

> "I pray, Sir, that under your chairmanship the work of the

(Mr. Gonzalez Gonzalez)

Committee will get back on its original track, from which, in my opinion, it has been diverted". (supra, p. 36)

The petitioner withdrew.

The CHAIRMAN: With regard to the implementation of the Declaration by the specialized agencies, I delivered a statement on 24 July at the 37th meeting of the Economic and Social Council. In that statement I gave an account of the flow of assistance from agencies and institutions to several Trust and Non-Self-Governing Territories. It was noted on that occasion that the United Nations Development Programme had continued to play a leading role in the financing of development projects in those Territories.

I expressed the appreciation of the Committee to those agencies and institutions concerned and encouraged them to pursue and expand their development activities in the remaining Territories.

(The Chairman)

In inviting them to redouble their efforts in meeting the specific needs of those Territories, I urged them to take into account the handicap that some of those Territories suffer as a result of their small size and population, their lack of adequate infrastructure, their remoteness and their heavy dependence on external financing resources. I also drew their attention to General Assembly resolution 46/70, entitled "Cooperation and coordination of specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories".

I understand that a draft resolution on the item was introduced at today's meeting of the Economic and Social Council, with a view to adopting it during the course of the day.

As regards our Committee's draft resolution on the item, the Bureau of the Committee is currently consulting on the text that will be submitted to the Committee. As soon as it is finalized, I will bring it to the attention of the Committee.

To begin the general debate, I call now on the representative of the International Labour Organisation.

Mr. MINET (International Labour Organisation (ILO)) (interpretation from French): I want first to supplement the three brief lines in paragraph 12 of document E/1992/85 on the activities of the International Labour Organisation (ILO) in the Territories under consideration. I have with me some more specific information, provided by our regional office, on current activities that I think will be of interest to the Special Committee.

(Mr. Minet, ILO)

In Anguilla, we have been working in the area of social security. These activities are of long standing and have recently been brought up to date. (spoke in English)

Our regional office reports that it has carried out an actuarial review of the social-security scheme there, a review which is currently in progress and is being executed by personnel from our headquarters at Geneva. It may be noted that on-the-job training for employees of the social-security scheme is to be undertaken as an element of this review. There is no need for me to emphasize that the development objective of this project on social security is to enhance and preserve the social well-being of the people of Anguilla by assisting the newly established social-security scheme.

Another area of concern and activity for the ILO in Anguilla is that of labour administration. We have a regional labour-administration adviser who has been providing backstopping services in respect of a labour-administration project funded by the United Nations Development Programme (UNDP). Most recently, in 1992, we submitted recommendations on a severance-payment scheme for Anguilla.

Let me turn now to the Cayman Islands, where last year our regional adviser in manpower planning and labour-market policies provided technical advice with respect to the preparation of the instruments for a labour-force survey to be carried out this year in the islands. The adviser's input was funded from a UNDP project on socio-economic and demographic data collection for development and planning.

(Mr. Minet, ILO)

In the recent past in the Cayman Islands we contributed to the drafting of the labour code, to a national workshop on management development and, lastly, to a project on vocational rehabilitation for the disabled.

That will give the Committee an idea of our recent and current activities in the Cayman Islands.

Turning now to Montserrat, considerable work has been done by the ILO over quite a period of time in Montserrat in the field of social security. Indeed, the social-security fund was initially set up with technical assistance from the ILO. But let me refer only to the recent past and inform the Committee that in 1991, making use of regular budget funds, the ILO provided the services of an actuarial consultant to undertake the first actuarial evaluation of the social-security scheme. In the same year it also funded an assessment of changes in the benefit structure of the public-service scheme.

In another related field, national health, the establishment of the national health-insurance scheme was proposed in the budget of the Government of Montserrat. This dates back to 1988. Then the ILO, again using regular budget resources, provided the services of a consultant to undertake a feasibility study during the first part of 1991. The consultant's report is now in the hands of the Government for consideration of its recommendations.

With respect to other activities in Montserrat, we have been active in the past in assisting the reviewing of occupational safety and health legislation, and we have provided assistance on various projects on workshop maintenance and repair and in the field of vocational training.

(Mr. Minet, ILO)

Next I would like to mention what we do in the Netherlands Antilles. A draft project document to address the current problems in human-resource development, including skills development and management training, has been prepared by the ILO and is currently being reviewed by UNDP.

Concerning Aruba, the ILO Turin centre, which specializes in management and vocational training, carried out a survey of management-training needs. This was funded by European development funds.

Concerning the Turks and Caicos islands, we are currently engaged in the social-security field, and we are assisting in the establishment of a national insurance scheme. I understand that the legislative and organizational requirements are now in place for the operation of that scheme. The project is being extended to allow for the fielding of an expert to provide assistance in the actual payment of benefits when this starts, which is targeted for 1 October of this year. Under this project the attachment of the Director-designate of the national insurance scheme to the Bahamas national insurance board was arranged.

(Mr. Minet, ILO)

With respect to the British Virgin Islands, I would simply mention that a draft bill to amend the labour code was prepared and submitted to the Government for consideration last year. I have restricted myself to current or recent projects, but I would like to mention that in addition to the individual islands, several of the non-metropolitan Territories have also participated in certain multi-island projects of the ILO. Those occurred in the area of vocational training, concerning Montserrat, and also in the area of international labour standards and ILO conventions and recommendations, concerning Anguilla, Aruba, Bermuda, the British Virgin Islands and Montserrat.

Lastly, in this very year, 1992, the British Virgin Islands, Curacao, Montserrat and the Turks and Caicos Islands have participated in the ILO's Caribbean subregional workshop for cooperatives involving education and training officers working in the field of cooperative training and development.

I should also like to mention in this context that several of these non-metropolitan countries will be involved if a series of pipeline projects come on stream, and those projects, which would cover most of those countries, would be implemented in three different areas, one having to do with regional small-business developments, another with the harmonization of labour legislation, and the last with import-export trade relations for Caribbean cooperatives.

That is what I wished to say on this first question of the small Territories.

(Spoke in French)

I should like to add something now on another subject; it may not be of any immediate concern to the Committee, but simply for information purposes, I

(Mr. Minet, ILO)

think it would be of interest for the Committee to note the conclusions with respect to southern Africa, recently adopted, and more recently confirmed, at the annual conference of the International Labour Organization held at Geneva last June.

At the tripartite conference that was held at Harare, Zimbabwe last May, with representatives of Governments and professional and trade-union circles, particular stress was laid on the priority to be accorded in our organization - and more generally in the United Nations system - to programmes involving support activities. I shall quote the conclusions of the conference:

> "Priority should be accorded to support activities and to the formulation of balanced policies in order to promote economic growth, social development, social justice, fundamental human rights and trade-union rights in all countries in the interest of the entire the region."

The Committee is doubtless aware that the Social Committee of the Economic and Social Council adopted a few days ago a resolution which the Council itself will also adopt and which transmits the report of our Fact-Finding and Conciliation Commission on Freedom of Association, dealing with trade-union freedoms, which was entrusted with the task of examining a complaint from the Congress of South African Trade Unions against the Republic of South Africa concerning infringement of trade-union rights.

I bring up this question again at this time only to indicate that it touches on a number of different areas which are all crucial for subregional integration in southern Africa after apartheid. We have in mind here the creation of jobs, the promotion of small businesses, cooperatives, vocational training, the improvement of labour legislation, the promotion of equal

(Mr. Minet, ILO)

opportunity, rural workers and the improvement of their status, and lastly, the question of the emigration of workers.

This is the information that I wanted to impart to the Committee today in the context of its work.

The CHAIRMAN: I call on the representative of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Mrs. DUKULY-TOLBERT (UNESCO): I should like to apprise the Committee of UNESCO's action as concerns General Assembly resolution 46/65 regarding appropriate measures taken by the specialized agencies to accelerate progress in the economic and social sectors of the Territories and also to mention the measures of support and programmes of assistance to colonial Territories that would create conditions for development after they have exercised their right to self-determination.

As in the past, UNESCO provided an international fellowship in the United Kingdom under its regular programme for 1990-1991 to a candidate put forward by the African National Congress (ANC). Educational equipment costing $18,000 was purchased by the educational centres of the ANC and the Pan Africanist Congress of Azania (PAC).

UNESCO organized a seminar at which several education officers of the ANC met to settle the future of the movement's educational centres. Two air tickets with per diem were provided to representatives of the ANC and the PAC in order to enable them to attend the twenty-sixth session of the General Assembly of UNESCO, which was held in October-November 1991.

Although the students and teachers of the ANC educational centres have returned to their country and the centres have been closed, UNESCO will

(Mrs. Dukuly-Tolbert, UNESCO)

continue to execute the five educational projects funded by the United Nations Development Programme (UNDP). These projects are intended to provide training at the primary, secondary, vocational and university levels for candidates put forward by the ANC and the PAC. The overall cost of the projects is approximately US$ 4 million.

There are certain other educational activities which UNESCO carries out in Africa that are also of relevance, notably, assistance to the University of Namibia and UNITWIN, the University network for Southern Africa, which promotes cooperation between Zimbabwe, Mozambique, Namibia and, in the future, South Africa.

(Mrs. Dukuly-Tolbert, UNESCO)

As relates to Territories still under colonial domination during the period under review, UNESCO continued its programmes of assistance to Anguilla, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands.

Those project related inter alia to the development of teaching materials, provision of scholarships, restoration of historical sites, upgrading of information facilities and eradication of illiteracy.

In respect of Anguilla, UNESCO, jointly with the British Development Division, has been supporting the development of teaching materials.

As regards assistance to the Palestinian people, in its resolution 46/201, the General Assembly requests the international community and the United Nations system to sustain and increase their assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization.

In accordance with decision 4.2.1, adopted by the UNESCO Executive Board at its 134th session, the Director-General addressed on 10 August 1990 a circular letter to Member States and foundations, appealing to those which had not done so to contribute to the Special Fund opened at UNESCO to provide fellowships for students from the occupied territories. This was the second renewal of the appeal originally made on 8 December 1986 and renewed on 27 April 1988. The first two appeals yielded $63,000 as cash contributions and 35 sponsored fellowships.

More recently, a contribution of $300,000 was received for the Fund. Pursuant to the above-mentioned decision, the Director-General also launched on 7 September 1990 an appeal to 70 universities in all parts of the world, inviting them to grant research and further training fellowships to

(Mrs. Dukuly-Tolbert, UNESCO)

Palestinian researchers and lecturers in the various areas of science and technology. So far, 11 replies have been received.

In addition, UNESCO has decided to support the initiative taken by several prestigious European universities to launch - together with the institutions of higher education in Palestine - an inter-university cooperation programme called PEACE, in support of the latter institutions, consisting of seminars and joint studies. UNESCO's support for the PEACE programme will be channelled through UNITWIN. Lastly, Palestine received financial assistance amounting to $185,960 under the Participation Programme for 1990-1991.

UNESCO will continue to assist these territories within its fields of competence.

The CHAIRMAN: I wish to express the Committee's thanks for UNESCO's continued cooperation with the Committee on developments in the territories.

The Committee will continue consideration of these items at its next meeting.

QUESTION OF WESTERN SAHARA

The CHAIRMAN: I understand that the working paper prepared by the Secretariat on the question of Western Sahara will be issued tomorrow.

In accordance with a decision taken at the 1403rd meeting on 22 July, the Committee granted a request for hearing to Mr. Majid Abdallah, on behalf of the Frente POLISARIO.

At the invitation of the Chairman, Mr. Mouloud Said (Frente POLISARIO) took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Said.

Mr. SAID (interpretation from Spanish): Sir, first, I should like to congratulate you on your election to the post of Chairman of this

(Mr. Said)

Committee. Your competence and experience, to which I can testify personally, are sufficient guarantees for the successful conclusion of the Committee's work at this session.

The question of Western Sahara is still on the agenda of the Committee. Almost 30 years have passed, and the decolonization of the Territory has still not been achieved. Moreover, Western Sahara today is more colonized than it was 30 years ago.

The year 1975 was a historic year, in which an act of force contrary to international law and to the principles and resolutions of the United Nations took place. Morocco's invasion of the Territory in 1975 was nothing else than an act of force, a fait accompli, whose traumatic consequences continue to the present. A decolonization process was replaced in broad daylight by another process of military annexation, and a small population continues to suffer the afflictions of an unjust war, a colonial war which was hidden from the view of international public opinion. Decolonization was frustrated in 1975. However, the international community has not lessened its efforts to resume the decolonization process and take it to its logical, natural and peaceful conclusion.

Seventeen years have passed. In 1990, hope for a just peace and for the final decolonization of the Territory appeared on the horizon when the international community drew up a detailed peace plan, which was well-balanced and consistent and which was accepted by the two parties to the conflict and approved by the Security Council.

The plan was based on three essential pillars which, taken together, constitute a whole. First was the question of the referendum. The Sahraoui people would opt for independence or integration with the occupying Power. I say "occupying Power" because the United Nations has not recognized any

(Mr. Said)

Moroccan sovereignty whatsoever over the Territory, nor any status as administering Power. What we are facing here is a military occupation which was deeply deplored by the General Assembly itself in resolution 34/37 of December 1979.

The second aspect of the plan - the second pillar, as it were - is made up of the conditions of the transitional period. The peace plan allowed Morocco to keep in the Territory 65,000 soldiers, police and administrative structures, paramilitary forces and the civilian settler population transferred there between 1975 and 1991.

(Mr. Said)

Although it might seem paradoxical, the POLISARIO Front accepted these conditions, making true concessions, in order to facilitate the execution of the Peace Plan by the United Nations.

The third focus is the electorate. The Plan resolves this essential question on the basis of a compromise proposed by the former Secretary-General of the United Nations, Mr. Perez de Cuellar, which was formally accepted by both sides. This compromise establishes that the electoral body for the referendum will be made up of the Sahraoui population whose names appear on the census carried out in 1974 by the Spanish authorities in the Territory.

Those were the clauses contained in the plan for implementation of joint proposals contained in the report of the Secretary-General (S/21360), which the Security Council approved in its resolution 658 (1990).

In April 1991 the Security Council authorized the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for the implementation of the plan. Everything was in place for the referendum to be held in January 1992. However, an artificial controversy was created by the Moroccan Government - this reminds us of that judicial controversy that it took up with the former administering Power and that led us to the Court in The Hague before the direct invasion of the Territory - about the Sahraouis that could not be included in the 1974 census; this was used as a pretext for breaking the commitment that had already been made. To be precise, the Moroccan Government claimed that it had in its territory 170,000 pseudo-Sahraouis descended from ancient tribes of Western Sahara that had supposedly been emigrating to Morocco since time immemorial, fleeing sometimes from colonialism and sometimes from drought.

In other words, Morocco tried and is still trying to involve a Moroccan electorate in the referendum of the Sahraoui people, a Moroccan electorate

(Mr. Said)

whose number is more than twice that of the Sahraoui population as shown in the Spanish census.

To support this attempted violation of the peace plan, the Moroccan Government opened hostilities two months later, in August 1991, on the eve of the effective date of the cease-fire.

In September 1991, they sent 35,000 troops to the Territory to sign up as future voters. Today they are concentrated in encampments on the outskirts of urban centres, where they are given crash courses in Sahraoui customs and traditions.

Ambassador Johannes Manz, the former Special Representative of the Secretary-General, said before his resignation in a letter addressed to the the former Secretary-General and made public last June,

"The movement of unidentified people towards the interior of the Territory, called the second green march, constitutes, in my view, a violation of the spirit of the peace plan if not of its letter."

In October 1991 the Moroccan Government threatened to expel from the Territory the contingents of those countries that participated in MINURSO unless they withdrew their sponsorship of the traditional plan of solution for Western Sahara.

In such a deteriorating framework, the peace plan continued to be obstructed until reaching the point of stagnation. The background, the pretext, was Morocco's attempt to alter the electorate and reformulate new bases that were different from those of the Spanish census, with new criteria, so that the population transferred to the Territory in violation of the plan would participate in the future referendum on the decolonization of Western Sahara. Imagine, if you will, the population of Latin America of Spanish or Italian origin participating in referendum held in Italy or Spain.

(Mr. Said)

In December 1991, in the aforementioned deteriorating framework, the POLISARIO Front was frankly surprised - and I do not think it was the only one - at the arrival of the controversial report of the Secretary-General on the situation concerning Western Sahara (S/23299), in the annex to which are presented six new criteria, different from those of the Spanish census, for the identification of voters.

Without going into further detail, I am able to state that the POLISARIO Front, which had always been consulted, along with the other party throughout the process of drawing up the Plan, was not consulted on that occasion in December 1991. We thought at the time and we still think today that the two parties should refrain from altering the clauses of the peace plan that had already been approved by the Security Council, and that if there existed a need for modifications, they should be made with the prior agreement of both parties.

The resulting situation was embarrassing to the Security Council itself, the guarantor of the implementation of the peace plan. Its members were unable to reach the usual unanimity to approve the report. The Organization of African Unity (OAU), co-author of the plan and, together with the United Nations, responsible for its implementation, put its oppositon to the new criteria officially on record. Only Morocco expressed publicly its satisfaction over the contents of the report. Today, Morocco, a non-permanent member of the Security Council, threatens to hold internal elections in Western Sahara as a part of the Kingdom if the referendum is not held with those controversial identification criteria, some of which will undoubtedly open the door to massive fraud.

Thus, the year 1992 was not the year of the referendum because of the deep divergence between the two parties, resulting from an artificial

(Mr. Said)

controversy that should and could have been avoided if Morocco had not broken the existing agreement with reference to the Spanish census of 1974.

Since January the new Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, and his Special Representative for Western Sahara, Sahabzada Yaqub Khan have patiently been putting forward new attempts to solve these problems that obstruct the implementation of a great act of peace which, because of the repercussions it will have for the United Nations, must not fail. The world, particularly today's world and perhaps tomorrow's as well, will continue to need a dynamic, effective United Nations that is empowered to prevent war and resolve conflicts peacefully and fairly.

The POLISARIO Front is contributing in a positive fashion with the efforts it is making and will continue to cooperate with the United Nations, starting from a firm attachment to the settlement plan that the Security Council has already approved, for the success of its peace mission in Western Sahara.

Though I still harbour hopes, I shall not hide from the Committee that the prevailing political and psychological climate in the Territory is cause for deep concern, and decisive action will be needed to bring back the pre-referendum situation and thus a state of minimal normality and confidence enabling the people to go confidently to the polls with minds free of the threat of fraud, of the spectre of police terror and insecurity so that the referendum really will be free and democratic and not subject to doubts by the international community.

(Mr. Said)

But we are concerned - and wish to inform the Committee of this - by the intransigence and rigidity that are involved here. We are concerned that this is one of the few conflicts in the world where one party wants neither to speak nor to negotiate with the other. We are concerned, and I believe that our concern is shared by others, to hear, before the referendum, a Moroccan leader of the importance of the former Minister of Justice and Foreign Affairs, Mr. Boucetta, say:

> "The elections were falsified in 1963, 1970, 1976, 1977, 1983, 1984, and there is no reason, if matters continue as they are now, that they will not be in 1992 as well. Those who falsified matters will do it again."

That quotation is taken from statements made to the periodical Jeune Afrique, issue 1642, page 69, 25 June 1992. As the saying goes, "A word to the wise is sufficient."

We are also concerned that 172 violations of the cease-fire have been committed - this figure comes from the United Nations - and violations are continuing. We are also concerned that the United Nations Mission for the Referendum in Western Sahara (MINURSO) has not been respected. Nor is the POLISARIO Front the only party that is under this impression. Indeed, the Chairman of the Foreign Affairs Committee of the United States Senate, Senator Claiborne Pell, himself said on 26 February 1992, during the hearing on Western Sahara held by the Subcommittee on Africa:

(spoke in English)

> "In the initial stages of the cease-fire, the situation was compounded by Morocco's obstructionist posture towards MINURSO. Initially, at least, Morocco chose not to cooperate with the United

(Mr. Said)

Nations military observers. Morocco prevented the observers, occasionally at gunpoint, from carrying out patrols."

(spoke in Spanish)

Western Sahara is a decolonization problem, and the fact that the controversy has not yet been resolved should not lead us to forget that it is a decolonization problem. Unfortunately, Western Sahara is more colonized today than it was yesterday. The United Nations has made great efforts, which were frustrated in 1975 and are being obstructed today. As the special correspondent of the Christian Science Monitor, Mr. Jarat Chopra, one of the few journalists who was able to enter the Territory, wrote on 11 June 1992:

(spoke in English)

"Those are not the conditions for a free and fair referendum. Of the elections supervised by the UN in Namibia, Nicaragua and Haiti, none have been interfered with as much as the referendum in the Western Sahara. Even the Khmer Rouge, which controls only parts of Cambodia, does not threaten proposed elections there in the way that Morocco can dictate the outcome."

(spoke in Spanish)

The Committee has been patient and persevering over the last 30 years in promoting the decolonization of the Territory. Unfortunately, and despite these historic efforts, decolonization of Western Sahara has still not been achieved. But this is where the responsibility, determination and work of the Committee, the General Assembly, the Security Council and the Secretary-General are most needed. The problems that are still obstructing the implementation of the peace plan were not created by the POLISARIO Front, but we feel that they can be solved if both parties are committed to flexibility and responsible work, if they are able to go halfway - do ut des,

(Mr. Said)

as the Romans said - to meet at a point of convergence that will facilitate the sincere implementation of the original peace plan.

On behalf of the POLISARIO Front, I request that the Committee continue to consider the question of decolonization of Western Sahara as a matter of priority and to keep it on its agenda until the Sahraoui people are able to exercise, under conditions of freedom and security guaranteed by the international community, their basic right to self-determination.

The petitioner withdrew.

The CHAIRMAN: The Committee will continue consideration of this item at its next meeting.

ORGANIZATION OF WORK

The CHAIRMAN: In order to facilitate the subsmission in good time of the Committee's report to the General Assembly, I suggest that, in keeping with the practice adopted by the Committee at previous sessions, the Rapporteur be requested to prepare and submit directly to the Assembly the various chapters of the report covering the items on which the Committee has concluded consideration. May I take it that the Committee has no objection to following this time-honoured practice?

It was so decided.

The CHAIRMAN: The next meeting of the Committee will be held tomorrow morning at 10 o'clock, when the Committee will consider and take action on the questions of New Caledonia and the Falkland Islands (Malvinas). At the conclusion of that meeting, the Bureau will meet and if necessary will continue its discussions in the afternoon.

STATEMENT BY THE REPRESENTATIVE OF MALI

Mr. DIARRA (Mali)(interpretation from French): I should like to express the position of my delegation on some decisions taken by the Special Committee of 24 during this meeting.

My delegation was not in the Chamber when the Committee adopted the draft decisions on Pitcairn and St. Helena, the omnibus draft resolution, the draft resolution on information concerning Non-Self-Governing Territories under Article 73 (e), and the draft resolution on the sending of Visiting Missions to those Territories. I should therefore like to set out formally my delegation's stand.

We support the draft decision on Pitcairn. My delegation also supports the omnibus draft resolution. We support the draft resolution on information concerning Non-Self-Governing Territories under Article 73 (e) of the Charter, and the draft resolution on the sending of missions to those Territories. Lastly, my delegation would have voted in favour of the draft decision on St. Helena.

The meeting rose at 5.50 p.m.